

PATENT  
Attorney Docket 044921-5058-01-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: **Patricia Murphy et al.**

Application No. **09/084,471**

Filed: **May 22, 1998**

For: **Novel Coding Sequences of the Human  
BRCA2 Gene**

Examiner: **S. Zitomer, Ph.D.**

Group Art Unit: **1655**

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OCT 25 2001


**TRANSMITTAL FORM**

TECH CENTER 1600/2900

1. Transmitted herewith is a Response to Species Election in reply to the Office Action dated August 21, 2001 (Paper No. 20). This response is being filed under the next business day rule as October 21, 2001 falls on a Sunday.
2. Also transmitted herewith is a substitute sequence listing, a diskette containing an electronic version the substitute sequence listing, a statement accompanying the substitute sequence listing, all in response to the notice to comply with the sequence listing requirements (copy attached as well).
3. Extension of Time: Applicant believes that a one month extension of time is required and have enclosed a check for \$55.00 for payment of the fee.
4. Constructive Petition: **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **October 22, 2001**  
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Respectfully submitted  
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